

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

Erin Wilson, on behalf of all)
others similarly situated,)
)
Plaintiff,)
)
v.) CIVIL ACTION FILE
) NO. 1:25-cv-03262-VMC
Grocery Delivery E-Services)
USA Inc.)
)
)
Defendant.)
)

**JOINT MOTION FOR (1) EXTENSION OF TIME TO RESPOND TO THE
COMPLAINT AND (2) EXTENSION OF TIME FOR THE PLAINTIFF
TO FILE A MOTION FOR CLASS CERTIFICATION**

COME NOW, Plaintiff Erin Wilson (“Wilson” or “Plaintiff”) and Defendant Grocery Delivery E-Services USA Inc. (“HelloFresh” or “Defendant”), and respectfully request that (1) the Court grant the Defendant an extension of time to respond to the Complaint of 60 days, until September 5, 2025; and (2) that, if the Court does not grant a motion to compel arbitration that Defendant may file, the Plaintiff be permitted to file his motion for class certification at a time that is Ordered by the Court following entry of a joint proposed Scheduling Order.

This Court has “broad discretion over the management of pre-trial activities, including discovery and scheduling.” *Johnson v. Bd. of Regents of Univ. of Ga.*, 263

F.3d 1234, 1269 (11th Cir. 2001); *see also, Chudasama v. Mazda Motor Corp.*, 123 F.3d 1353, 1366 (11th Cir. 1997) (“[D]istrict courts enjoy broad discretion in deciding how best to manage the cases before them.”) Good cause exists to grant the requested relief, and the Parties submit that the Court should exercise its discretion and grant it for the following reasons:

1. The Plaintiff filed this Class Action Complaint, alleging violations of the Telephone Consumer Protection Act, 47 U.S.C. § 227 on behalf of a national class. Defendant’s Answer to the Class Action Complaint is currently due Monday, July 7, 2025. Pursuant to Local Rule 23.1(B), Plaintiff’s Motion for Class Certification is currently due within 90 days from the filing of the lawsuit.

2. Defendant requested, and Plaintiff agreed, to extend Defendant’s deadline to respond to the Complaint to provide Defendant sufficient time to investigate the allegations in the Complaint and determine how to proceed. Plaintiff agreed subject to agreeing to an extension of the deadline for class certification. Although Defendant has now obtained records reflecting the text messages and evidence that suggests Plaintiff agreed to arbitrate, Defendant requires additional time to complete its initial investigation including to evaluate whether to seek to compel plaintiff to arbitrate.

5. The requested relief is sought in good faith and not for the purposes of delay. Granting the requested relief will not prejudice any party or cause the Court

to reschedule trial or other pivotal case deadlines as the Court has not yet entered a scheduling order.

6. The Parties preserve all rights and defenses, and do not waive any, by entering into this joint motion. The Parties agree that they shall not use anything herein to argue that Defendant waived its right to seek to compel Plaintiff especially since Defendant's investigation is ongoing and the determination to seek to compel arbitration has not been made.

WHEREFORE, the Parties respectfully request that: (1) the Court grant the Plaintiff an extension of time to respond to the Complaint of 60 days; and (2) that the Plaintiff be able to file his motion for class certification at a time that is Ordered by the Court when a joint proposed Scheduling Order is issued.

Respectfully submitted this 3rd day of July, 2025.

/s/ Anthony I. Paronich

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(admitted *pro hac vice*)
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Counsel for Plaintiff and the proposed class

CERTIFICATE OF SERVICE

I hereby certify that, on this day, I caused a true and correct copy of the foregoing document to be filed with the clerk's office using this Court's CM/ECF system, which will automatically send notice of such filing to all counsel of record.

This 3rd day of July, 2025.

/s/ Jarred A. Klorfein
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*Counsel for Defendant
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